

FEB 21 2008

## UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

By: JAMES W. McCORMACK, CLERK  
DEP CLERK

UNITED STATES OF AMERICA

V.

## JUDGMENT IN A CRIMINAL CASE

JOHN PASCAL SOWARD

Case Number: 4:06cr00105-01 JMM

USM Number: 24055-009

Bill Stanley

Defendant's Attorney

## THE DEFENDANT:

☒ pleaded guilty to count(s) 1 - 3 of Superseding Information☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.☐ was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
21 USC 841(a)(1) and b(1)(A) and 846	Conspiracy to Distribute More Than 500 Grams of Methamphetamine, a Class A Felony	6/30/2006	1
18 USC 922(g)(1)	Felon in Possession of Firearms and Ammunition, a Class C Felony	6/30/2006	2
26 USC 5841, 5845(a), 5861 and 5871	Unlawful Possession of Machine Gun, a Class C Felony	6/30/2006	3

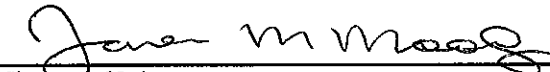
The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) \_\_\_\_\_☐ Count(s) \_\_\_\_\_ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

February 21, 2008

Date of Imposition of Judgment



Signature of Judge

James M. Moody

UNITED STATES DISTRICT JUDGE

Name and Title of Judge

Feb 21, 2008

Date

DEFENDANT: **JOHN PASCAL SOWARD**  
CASE NUMBER: **4:06cr00105-01 JMM**

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: **Life - Life as to Count 1; one hundred twenty months as to Counts 2 & 3, to run concurrently.**

☒ The court makes the following recommendations to the Bureau of Prisons:  
**Defendant shall participate in the RDAP intensive drug treatment program, and educational and vocational programs, to enable him to obtain gainful employment upon release.**

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ a \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. \_\_\_\_\_.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

**RETURN**

I have executed this judgment as follows:

Defendant delivered \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

DEFENDANT: **JOHN PASCAL SOWARD**  
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### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **ten (10) years**

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

### **STANDARD CONDITIONS OF SUPERVISION**

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: **JOHN PASCAL SOWARD**  
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**ADDITIONAL STANDARD CONDITIONS OF SUPERVISION**

14) The defendant shall participate, under the guidance and supervision of the probation officer, in a substance abuse treatment program which may include testing, outpatient counseling, and residential treatment. Further, the defendant shall abstain from the use of alcohol throughout the course of treatment.

DEFENDANT: **JOHN PASCAL SOWARD**CASE NUMBER: **4:06cr00105-01 JMM****CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	<b>\$ 300.00</b>	<b>\$ 0</b>	<b>\$ 0</b>

☐ The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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<b>TOTALS</b>	\$ _____	\$ _____
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☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A** ☒ Lump sum payment of \$ 300.00 due immediately, balance due Payable to Clerk of Court, 600 West Capitol, Suite A-149, Little Rock, AR 72201  
☐ not later than \_\_\_\_\_, or  
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, ☐ F below); or
- C** ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☒ The defendant shall forfeit the defendant's interest in the following property to the United States:  
See attached order of forfeiture

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS

UNITED STATES OF AMERICA

v.

NO. 4:06CR00105-(01) JMM

JOHN PASCAL SOWARD a/k/a WHITNEY

**FINAL ORDER OF FORFEITURE**

WHEREAS, on December 20, 2007 this Court entered an Amended Preliminary Order of Forfeiture, ordering the defendant to forfeit his interest in the following:

**CONVEYANCE**

- a. One black V-king motorcycle, VIN 189W1S2G1W5503005.

**FIREARMS or AMMUNITION**

<b>FIREARM</b>	<b>SERIAL NUMBER</b>
Dan Wesson, .357 mag. handgun	189304
Desert Eagle, .40 cal. handgun	32311148
Browning BDM, 9mm handgun	945NT51231
Bersa Model 83, .380 cal. handgun	238656
Star .380 handgun	1882203
Smith & Wesson .40 cal. handgun	PAM1195
Parker 10mm handgun	A06540
Seecamp .25 acp handgun	3478
Springfield Armory .45 acp handgun	N361696
Ruger 22/45 .22 cal. handgun	224-38475
AA Arms model AP 9mm	17704

Star model 30 MI 9mm handgun	1835323
Beretta Tomcat .32 acp handgun	DAA208923
Beretta model 950 .22 cal. handgun	BER25648T
Ruger P90, .45 acp handgun	662-17922
Colt .25 acp handgun	100288
Davis Arms M32 handgun	557536
AMT .380 handgun	DA 11981
Beretta model 70, 7.65 cal. handgun	A00037
Ruger P85, 9mm handgun	302-12363
Beretta model 950BS, .25 acp handgun	BT12153V
Beretta model 950BS, .22 cal. handgun	BER40355T
Beretta model 948, .22 cal handgun	043710N
Ruger SP101, .357 mag. handgun	572-34159
North American Arms .22 mag. handgun	D5435
Smith & Wesson model 422, .22 cal. handgun	TFP3095
Glock model 19, 9mm handgun	BHT011
Beretta model 92, 9mm handgun	E25393Z
Smith & Wesson, model 66., .357 mag. handgun	BHY2613
H&R .410 gauge shotgun pistol	45054
AMT Automag 2, .22 mag. handgun	H26862
Desert Eagle, .50 AE cal. handgun	34200970
Remington 12 gauge semi-automatic shotgun	138957
Browning Magnum 12, 12 gauge shotgun	18731NW151



New Haven (Mossberg) 12 gauge shotgun 600AT	G952632
Leinad .45 cal. Derringer (Cobray)	M00003004
Colt Python .357 magnum revolver	V76547
Highpoint #995 9mm rifle	A35822
Beretta Storm .40 cal. rifle	CY05141
Desert Eagle .50AE pistol	34200939
218 rounds of assorted .50 caliber ammunition	N/A
846 rounds of .22 caliber ammunition	N/A
100 rounds of 7 caliber ammunition	N/A
100 rounds of 30-06 ammunition	N/A
150 rounds of .380 caliber ammunition	N/A
20 rounds of .3 caliber ammunition	N/A
20 rounds of .270 caliber ammunition	N/A
10 rounds of .20 caliber ammunition	N/A
50 rounds of 9mm ammunition	N/A
10 rounds of 12 gauge ammunition	N/A
33 rounds of 10 gauge ammunition	N/A
147 rounds of .32 caliber ammunition	N/A
29 rounds of .4 caliber ammunition	N/A
76 rounds of .357 caliber ammunition	N/A
Cobray M11, 9mm	89-0035204
Savage 110, .270 Win	F179907
Browning A Bolt, .300 Win Mag	56691NT817

Savage 65M, .22 Win Mag	C670865
Remington 1100, 12 gauge	356402V
Marlin 60W, .22 long rifle	9329389
Remington 11/87, 12 gauge	PC345893
Mossburg 500A, 12 gauge	P978957
Mossburg 500A, 12 gauge	P345782
Bohica M-16-SA, Nato (223)	460044
Weatherby Mark V, 30-378 Wby Mag	BW007971
Eagle Arms (Armalite) M15A2, 5.56 mm(223)	9320
Browning A Bolt, 300 WSM	71620MX351
Bushmaster XM15-E2S, 5.56 (223)	BF1428607
Ruger 10-22, .22 long rifle	25446602
Norinco SKS, 7.62X39	R8392
Marlin 25MN, .22 long rifle	12711380
Browning BAR, 300 Win Mag	23326M74
Remington Nylon 55, .22 long rifle	No serial number
Interarms/Norinko 22A.T.D., .22 long rifle	421443
Savage 110, .270 Win	F631880
Remington 700, 7mm Mag	6562413
Sten "MK2" 9 mm submachine gun	F43980
Coastal, M223 Silencer	1041
Homemade Unregistered Silencer	No serial number
Sable Baby, .22 cal.	1136

Magnum Research ISI Desert Eagle, .50 cal.	43201085
Winchester Model 1200, 12 gauge	L1167874
Mossberg Model 500, 12 gauge	K269811
F.I.E., 410 gauge	186847
Eastfield Model 916, 12 gauge	B05369
Remington Model 11, 20 gauge	1067200
Ruger Model 1022, .22 cal.	255-05452
Remington Nylon, .22 cal.	None
Remington Model 552, .22 cal.	1723387

WHEREAS, the United States caused to be published in the Arkansas Democrat Gazette, a newspaper of general circulation, notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and as specified in the Preliminary Order, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property;

WHEREAS, the United States also provided actual notice to all interested parties, including to the defendants;

WHEREAS, no claims were filed by any persons with respect to any of the property described herein;

IT IS ORDERED that all right, title, and interest in all of the property set forth above is hereby forfeited to the United States, and the United States Marshal shall dispose of such property according to law.

SO ORDERED this 20<sup>th</sup> day of February, 2008.

  
UNITED STATES DISTRICT JUDGE